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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/107,110 06/30/98 BERRY

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026389 TM02/0925
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EXAMINER

HIYNH, R

ART UNIT

PAPER NUMBER

2173
DATE MAILED:

09/25/01

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary

Application No.
09/107,110

Applicant(s)

Berry et al.

Examiner

Huynh-Ba

Art Unit

2173



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Aug 7, 2001

2a) ☐ This action is **FINAL**.

2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-15, 19-21, 25, and 27 is/are pending in the applica

4a) Of the above, claim(s) _____ is/are withdrawn from considera

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-15, 19-21, 25, and 27 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirem

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other:

BA HUYNH
PRIMARY EXAMINER

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DETAILED ACTION

1. The amendments filed on 8/7/01 have been entered into the record. Claims 1-15, 19-21, 25 and 27 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10, 12-15, 19-21, 25, 27 are rejected under 35 U.S.C. 102(a) as being anticipated by the Microsoft Window 95 Uncut ("Window95").

- As for claims 1, 3: In a computer system having an operating system, Window95 discloses a computer implemented system, method and graphical user interface, comprising:

a primary screen (figure 3-1),

a predetermined file-container icon "Document",

one or more file-operation dialog boxes ("Save", "Save As", inherently included) which are accessible by application programs of the computer and which specifies a file container associated with the predetermined file container icon as a default document container for file

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related to the application program. The Document folder and operation dialog boxes are under the control of Window95 operating system and is application independent.

- As for claim 2: The graphical user interface further includes a destination menu item (Save As) associated with a file to permit the file to be moved or copied to the file container associated with the file container icon.

- As for claim 4: Dialogs for file Save and Open operations are inherently included in Window95.

- As for claims 5, 10: Window95 is a Microsoft Window operating system.

- As for claims 6, 15, 27: In a computer system having an operating system, Window95 discloses a method comprising providing a default storage folder Document for storing documents created by two or more applications (page 241) and is defined within the operating system (pages 577, 771), independent from the applications. A Document icon is displayed during file operation related to the applications (page 59).

- As for claims 7-8: The computer system further comprises a master file My Computer (page 8) containing global information pertinent to the computer system, a shell registry (page 577) which stores the master file.

- As for claim 10: Window 95 is a Microsoft Windows operating system.

- As for claim 9: "My Computer" allows network access. Network administrative for changing information regarding the physical storage device is inherently included in Window 95.

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- As for claims 12-14, 21, 25: In a computer system having an operating system, Window95 discloses a computer implemented method/system, comprising:
a predetermined file-container icon "Document" (page 59),
one or more file-operation dialog boxes (Save, Save As, inherently included) which are accessible by application programs of the computer and which specifies a file container associated with the predetermined file container icon as a default document container for file related to the application program. The Document folder and operation dialog boxes are under the control of Window95 operating system and are application independent. Dialog boxes Save and Save As allow a document to be saved in a predetermined folder or be redirected to a current folder wherein the current folder is the Document folder. The Document folder stores document of one or more particular types.

- As for claim 19: In a computer system having an operating system, Window95 discloses a computer graphical user interface comprising a most-recently used file menu defined to display links to most-recently used files or folders (page 59). Documents folder contains 15 most recently used files and/or folders.

- As for claim 20: The most recently used file menu includes a partially opened Documents icon (page 59)

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Claim Rejections - 35 USC § 103

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Microsoft Window 95.

- As for claim 11: Naming a document folder with a particular name such as My Document would have been an obvious design preference.

Response to Arguments

5. Applicant's arguments filed on 8/7/01 have been fully considered but are moot in view of the new ground(s) of rejection.

Inquiries

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 746-7238 may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-7240 for Non-Official or draft communications. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huynh-Ba whose telephone number is (703) 305-9794. The examiner can normally be reached on Monday-Friday from 8.00AM to 4.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703) 308-3116.


All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive

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information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Huynh-Ba
Primary Examiner
Art Unit 2173
9/16/01


BA HUYNH
PRIMARY EXAMINER